

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:03CR71-09-MU**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
v.	)	<b>ORDER</b>
	)	
KIMBERLY ANN PIERCY,	)	
	)	
Defendant.	)	
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**THIS MATTER** comes before the Court upon the Defendant's "Motion to Reduce Term of Imprisonment" received on November 27, 2006. Defendant sent the instant motion to chambers and this Court now directs the Clerk to file as a Motion in Defendant's criminal case. Next, the Court notes that Defendant's Motion was not served on the Government. As such, the Court directs the Clerk to serve the United States Attorney with a copy of Defendant's Motion.

The Court also directs the Government to file a response to Defendant's Motion specifically addressing Defendant's contention that she is entitled to a reduction in the term of her imprisonment due to a change to the Sentencing Guidelines. Such response shall be filed within twenty days of the date of this Order.

**NOW, THEREFORE, IT IS HEREBY ORDERED** that:

1. The Clerk is directed to file Defendant's letter as a Motion to Reduce Sentence,
2. The Clerk is directed to serve the Government with a copy of Defendant's Motion and
3. The Government is directed to file a response to Defendant's Motion no later than twenty (20) days from the date of this Order.

**SO ORDERED.**

Signed: November 28, 2006

A handwritten signature in black ink, appearing to read "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen  
United States District Judge

